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March 10, 2008

VIA HAND DELIVERY

Michael Joseph, Esq.
Osorio & Associates, LLC
184 Marine Avenue
White Plains, New York 10601

Re: Manganiello v. The City of New York et al.,
07 Civ. 3644 (HB)

Dear Mr. Joseph:

I am writing in response to your March 10, 2008 requesting to depose Christine Scaccia, Shawn Abate, and Police Officer Ortiz. Please be advised that Assistant District Attorney Scaccia is currently prosecuting a homicide trial for the next two months and, therefore, will not be available for a deposition. Please inform me if there is another individual plaintiff will select to depose. Shawn Abate does not reside within 100 miles of the United States District Court for the Southern District of New York and cannot be available in person for a deposition. However, plaintiff can make arrangements for the deposition to proceed either by telephone, or if technology permits, by video conference.

We would like to proceed with two depositions on Thursday, March 13, 2008 beginning at 10:00 a.m. We would like those depositions to be conducted in our office.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Hillary A. Frommer".

Hillary A. Frommer
Senior Counsel